

[First Reprint]

## **ASSEMBLY, No. 3785**

# **STATE OF NEW JERSEY**

## **211th LEGISLATURE**

INTRODUCED FEBRUARY 14, 2005

**Sponsored by:**

**Assemblyman PETER J. BARNES, JR.**

**District 18 (Middlesex)**

**Assemblyman JEFF VAN DREW**

**District 1 (Cape May, Atlantic and Cumberland)**

**Assemblyman GORDON M. JOHNSON**

**District 37 (Bergen)**

**Assemblyman JON M. BRAMNICK**

**District 21 (Essex, Morris, Somerset and Union)**

**Co-Sponsored by:**

**Assemblywomen McHose, Previte, Senators Littell, Sweeney, Ciesla and  
Singer**

### **SYNOPSIS**

Changes title of State park ranger to State park police officer.

### **CURRENT VERSION OF TEXT**

As reported by the Assembly Law and Public Safety Committee on  
May 2, 2005, with amendments.

(Sponsorship Updated As Of: 6/21/2005)

1 AN ACT concerning certain State law enforcement officers and  
2 amending N.J.S.2C:39-6 <sup>1</sup>[and], <sup>1</sup>P.L.1983, c.324 <sup>1</sup>and P.L.1977,  
3 c.167<sup>1</sup>.  
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*  
7

8 1. N.J.S.2C:39-6 is amended to read as follows:

9 2C:39-6. a. Provided a person complies with the requirements of  
10 subsection j. of this section, N.J.S.2C:39-5 does not apply to:

11 (1) Members of the Armed Forces of the United States or of the  
12 National Guard while actually on duty, or while traveling between  
13 places of duty and carrying authorized weapons in the manner  
14 prescribed by the appropriate military authorities;

15 (2) Federal law enforcement officers, and any other federal officers  
16 and employees required to carry firearms in the performance of their  
17 official duties;

18 (3) Members of the State Police and, under conditions prescribed  
19 by the superintendent, members of the Marine Law Enforcement  
20 Bureau of the Division of State Police;

21 (4) A sheriff, undersheriff, sheriff's officer, county prosecutor,  
22 assistant prosecutor, prosecutor's detective or investigator, deputy  
23 attorney general or State investigator employed by the Division of  
24 Criminal Justice of the Department of Law and Public Safety,  
25 investigator employed by the State Commission of Investigation,  
26 inspector of the Alcoholic Beverage Control Enforcement Bureau of  
27 the Division of State Police in the Department of Law and Public  
28 Safety authorized to carry such weapons by the Superintendent of  
29 State Police, State park **[ranger]** police officer, or State conservation  
30 officer;

31 (5) A prison or jail warden of any penal institution in this State or  
32 his deputies, or an employee of the Department of Corrections  
33 engaged in the interstate transportation of convicted offenders, while  
34 in the performance of his duties, and when required to possess the  
35 weapon by his superior officer, or a correction officer or keeper of a  
36 penal institution in this State at all times while in the State of New  
37 Jersey, provided he annually passes an examination approved by the  
38 superintendent testing his proficiency in the handling of firearms;

39 (6) A civilian employee of the United States Government under the  
40 supervision of the commanding officer of any post, camp, station, base  
41 or other military or naval installation located in this State who is

**EXPLANATION** - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Assembly ALP committee amendments adopted May 2, 2005.

1 required, in the performance of his official duties, to carry firearms,  
2 and who is authorized to carry such firearms by said commanding  
3 officer, while in the actual performance of his official duties;

4 (7) (a) A regularly employed member, including a detective, of the  
5 police department of any county or municipality, or of any State,  
6 interstate, municipal or county park police force or boulevard police  
7 force, at all times while in the State of New Jersey;

8 (b) A special law enforcement officer authorized to carry a weapon  
9 as provided in subsection b. of section 7 of P.L.1985, c.439  
10 (C.40A:14-146.14);

11 (c) An airport security officer or a special law enforcement officer  
12 appointed by the governing body of any county or municipality, except  
13 as provided in subsection (b) of this section, or by the commission,  
14 board or other body having control of a county park or airport or  
15 boulevard police force, while engaged in the actual performance of his  
16 official duties and when specifically authorized by the governing body  
17 to carry weapons;

18 (8) A full-time, paid member of a paid or part-paid fire department  
19 or force of any municipality who is assigned full-time or part-time to  
20 an arson investigation unit created pursuant to section 1 of P.L.1981,  
21 c.409 (C.40A:14-7.1) or to the county arson investigation unit in the  
22 county prosecutor's office, while either engaged in the actual  
23 performance of arson investigation duties or while actually on call to  
24 perform arson investigation duties and when specifically authorized by  
25 the governing body or the county prosecutor, as the case may be, to  
26 carry weapons. Prior to being permitted to carry a firearm, such a  
27 member shall take and successfully complete a firearms training course  
28 administered by the Police Training Commission pursuant to P.L.1961,  
29 c.56 (C.52:17B-66 et seq.), and shall annually qualify in the use of a  
30 revolver or similar weapon prior to being permitted to carry a firearm;

31 (9) A juvenile corrections officer in the employment of the Juvenile  
32 Justice Commission established pursuant to section 2 of P.L.1995,  
33 c.284 (C.52:17B-170) subject to the regulations promulgated by the  
34 commission;

35 (10) A designated employee or designated licensed agent for a  
36 nuclear power plant under license of the Nuclear Regulatory  
37 Commission, while in the actual performance of his official duties, if  
38 the federal licensee certifies that the designated employee or  
39 designated licensed agent is assigned to perform site protection, guard,  
40 armed response or armed escort duties and is appropriately trained and  
41 qualified, as prescribed by federal regulation, to perform those duties.  
42 Any firearm utilized by an employee or agent for a nuclear power plant  
43 pursuant to this paragraph shall be returned each day at the end of the  
44 employee's or agent's authorized official duties to the employee's or  
45 agent's supervisor. All firearms returned each day pursuant to this  
46 paragraph shall be stored in locked containers located in a secure area.

1       b. Subsections a., b. and c. of N.J.S.2C:39-5 do not apply to:

2       (1) A law enforcement officer employed by a governmental agency  
3 outside of the State of New Jersey while actually engaged in his  
4 official duties, provided, however, that he has first notified the  
5 superintendent or the chief law enforcement officer of the municipality  
6 or the prosecutor of the county in which he is engaged; or

7       (2) A licensed dealer in firearms and his registered employees  
8 during the course of their normal business while traveling to and from  
9 their place of business and other places for the purpose of  
10 demonstration, exhibition or delivery in connection with a sale,  
11 provided, however, that the weapon is carried in the manner specified  
12 in subsection g. of this section.

13       c. Provided a person complies with the requirements of subsection  
14 j. of this section, subsections b. and c. of N.J.S.2C:39-5 do not apply  
15 to:

16       (1) A special agent of the Division of Taxation who has passed an  
17 examination in an approved police training program testing proficiency  
18 in the handling of any firearm which he may be required to carry, while  
19 in the actual performance of his official duties and while going to or  
20 from his place of duty, or any other police officer, while in the actual  
21 performance of his official duties;

22       (2) A State deputy conservation officer or a full-time employee of  
23 the Division of Parks and Forestry having the power of arrest and  
24 authorized to carry weapons, while in the actual performance of his  
25 official duties;

26       (3) (Deleted by amendment, P.L.1986, c.150.)

27       (4) A court attendant serving as such under appointment by the  
28 sheriff of the county or by the judge of any municipal court or other  
29 court of this State, while in the actual performance of his official  
30 duties;

31       (5) A guard in the employ of any railway express company, banking  
32 or building and loan or savings and loan institution of this State, while  
33 in the actual performance of his official duties;

34       (6) A member of a legally recognized military organization while  
35 actually under orders or while going to or from the prescribed place  
36 of meeting and carrying the weapons prescribed for drill, exercise or  
37 parade;

38       (7) An officer of the Society for the Prevention of Cruelty to  
39 Animals, while in the actual performance of his duties;

40       (8) An employee of a public utilities corporation actually engaged  
41 in the transportation of explosives;

42       (9) A railway policeman, except a transit police officer of the New  
43 Jersey Transit Police Department, at all times while in the State of  
44 New Jersey, provided that he has passed an approved police academy  
45 training program consisting of at least 280 hours. The training  
46 program shall include, but need not be limited to, the handling of

1 firearms, community relations, and juvenile relations;

2 (10) A campus police officer appointed under P.L.1970, c.211  
3 (C.18A:6-4.2 et seq.) at all times. Prior to being permitted to carry a  
4 firearm, a campus police officer shall take and successfully complete  
5 a firearms training course administered by the Police Training  
6 Commission, pursuant to P.L.1961, c.56 (C.52:17B-66 et seq.), and  
7 shall annually qualify in the use of a revolver or similar weapon prior  
8 to being permitted to carry a firearm;

9 (11) (Deleted by amendment, P.L.2003, c.168).

10 (12) A transit police officer of the New Jersey Transit Police  
11 Department, at all times while in the State of New Jersey, provided the  
12 officer has satisfied the training requirements of the Police Training  
13 Commission, pursuant to subsection c. of section 2 of P.L.1989, c.291  
14 (C.27:25-15.1);

15 (13) A parole officer employed by the State Parole Board at all  
16 times. Prior to being permitted to carry a firearm, a parole officer  
17 shall take and successfully complete a basic course for regular police  
18 officer training administered by the Police Training Commission,  
19 pursuant to P.L.1961, c.56 (C.52:17B-66 et seq.), and shall annually  
20 qualify in the use of a revolver or similar weapon prior to being  
21 permitted to carry a firearm;

22 (14) A Human Services police officer at all times while in the State  
23 of New Jersey, as authorized by the Commissioner of Human Services;

24 (15) A person or employee of any person who, pursuant to and as  
25 required by a contract with a governmental entity, supervises or  
26 transports persons charged with or convicted of an offense;

27 (16) A housing authority police officer appointed under P.L.1997,  
28 c.210 (C.40A:14-146.19 et al.) at all times while in the State of New  
29 Jersey; or

30 (17) A probation officer assigned to the "Probation Officer  
31 Community Safety Unit" created by section 2 of P.L.2001, c.362  
32 (C.2B:10A-2) while in the actual performance of the probation  
33 officer's official duties. Prior to being permitted to carry a firearm, a  
34 probation officer shall take and successfully complete a basic course  
35 for regular police officer training administered by the Police Training  
36 Commission, pursuant to P.L.1961, c.56 (C.52:17B-66 et seq.), and  
37 shall annually qualify in the use of a revolver or similar weapon prior  
38 to being permitted to carry a firearm.

39 d. (1) Subsections c. and d. of N.J.S.2C:39-5 do not apply to  
40 antique firearms, provided that such antique firearms are unloaded or  
41 are being fired for the purposes of exhibition or demonstration at an  
42 authorized target range or in such other manner as has been approved  
43 in writing by the chief law enforcement officer of the municipality in  
44 which the exhibition or demonstration is held, or if not held on  
45 property under the control of a particular municipality, the  
46 superintendent.

1       (2) Subsection a. of N.J.S.2C:39-3 and subsection d. of  
2 N.J.S.2C:39-5 do not apply to an antique cannon that is capable of  
3 being fired but that is unloaded and immobile, provided that the  
4 antique cannon is possessed by (a) a scholastic institution, a museum,  
5 a municipality, a county or the State, or (b) a person who obtained a  
6 firearms purchaser identification card as specified in N.J.S.2C:58-3.

7       (3) Subsection a. of N.J.S.2C:39-3 and subsection d. of  
8 N.J.S.2C:39-5 do not apply to an unloaded antique cannon that is  
9 being transported by one eligible to possess it, in compliance with  
10 regulations the superintendent may promulgate, between its permanent  
11 location and place of purchase or repair.

12       (4) Subsection a. of N.J.S.2C:39-3 and subsection d. of  
13 N.J.S.2C:39-5 do not apply to antique cannons that are being loaded  
14 or fired by one eligible to possess an antique cannon, for purposes of  
15 exhibition or demonstration at an authorized target range or in the  
16 manner as has been approved in writing by the chief law enforcement  
17 officer of the municipality in which the exhibition or demonstration is  
18 held, or if not held on property under the control of a particular  
19 municipality, the superintendent, provided that performer has given at  
20 least 30 days' notice to the superintendent.

21       (5) Subsection a. of N.J.S.2C:39-3 and subsection d. of  
22 N.J.S.2C:39-5 do not apply to the transportation of unloaded antique  
23 cannons directly to or from exhibitions or demonstrations authorized  
24 under paragraph (4) of subsection d. of this section, provided that the  
25 transportation is in compliance with safety regulations the  
26 superintendent may promulgate. Nor do those subsections apply to  
27 transportation directly to or from exhibitions or demonstrations  
28 authorized under the law of another jurisdiction, provided that the  
29 superintendent has been given 30 days' notice and that the  
30 transportation is in compliance with safety regulations the  
31 superintendent may promulgate.

32       e. Nothing in subsections b., c. and d. of N.J.S.2C:39-5 shall be  
33 construed to prevent a person keeping or carrying about his place of  
34 business, residence, premises or other land owned or possessed by  
35 him, any firearm, or from carrying the same, in the manner specified  
36 in subsection g. of this section, from any place of purchase to his  
37 residence or place of business, between his dwelling and his place of  
38 business, between one place of business or residence and another when  
39 moving, or between his dwelling or place of business and place where  
40 such firearms are repaired, for the purpose of repair. For the purposes  
41 of this section, a place of business shall be deemed to be a fixed  
42 location.

43       f. Nothing in subsections b., c. and d. of N.J.S.2C:39-5 shall be  
44 construed to prevent:

45       (1) A member of any rifle or pistol club organized in accordance  
46 with the rules prescribed by the National Board for the Promotion of

1 Rifle Practice, in going to or from a place of target practice, carrying  
2 such firearms as are necessary for said target practice, provided that  
3 the club has filed a copy of its charter with the superintendent and  
4 annually submits a list of its members to the superintendent and  
5 provided further that the firearms are carried in the manner specified  
6 in subsection g. of this section;

7 (2) A person carrying a firearm or knife in the woods or fields or  
8 upon the waters of this State for the purpose of hunting, target  
9 practice or fishing, provided that the firearm or knife is legal and  
10 appropriate for hunting or fishing purposes in this State and he has in  
11 his possession a valid hunting license, or, with respect to fresh water  
12 fishing, a valid fishing license;

13 (3) A person transporting any firearm or knife while traveling:

14 (a) Directly to or from any place for the purpose of hunting or  
15 fishing, provided the person has in his possession a valid hunting or  
16 fishing license; or

17 (b) Directly to or from any target range, or other authorized place  
18 for the purpose of practice, match, target, trap or skeet shooting  
19 exhibitions, provided in all cases that during the course of the travel  
20 all firearms are carried in the manner specified in subsection g. of this  
21 section and the person has complied with all the provisions and  
22 requirements of Title 23 of the Revised Statutes and any amendments  
23 thereto and all rules and regulations promulgated thereunder; or

24 (c) In the case of a firearm, directly to or from any exhibition or  
25 display of firearms which is sponsored by any law enforcement agency,  
26 any rifle or pistol club, or any firearms collectors club, for the purpose  
27 of displaying the firearms to the public or to the members of the  
28 organization or club, provided, however, that not less than 30 days  
29 prior to the exhibition or display, notice of the exhibition or display  
30 shall be given to the Superintendent of the State Police by the  
31 sponsoring organization or club, and the sponsor has complied with  
32 such reasonable safety regulations as the superintendent may  
33 promulgate. Any firearms transported pursuant to this section shall be  
34 transported in the manner specified in subsection g. of this section;

35 (4) A person from keeping or carrying about a private or  
36 commercial aircraft or any boat, or from transporting to or from such  
37 vessel for the purpose of installation or repair a visual distress  
38 signalling device approved by the United States Coast Guard.

39 g. All weapons being transported under paragraph (2) of  
40 subsection b., subsection e., or paragraph (1) or (3) of subsection f. of  
41 this section shall be carried unloaded and contained in a closed and  
42 fastened case, gunbox, securely tied package, or locked in the trunk of  
43 the automobile in which it is being transported, and in the course of  
44 travel shall include only such deviations as are reasonably necessary  
45 under the circumstances.

46 h. Nothing in subsection d. of N.J.S.2C:39-5 shall be construed to

1 prevent any employee of a public utility, as defined in R.S.48:2-13,  
2 doing business in this State or any United States Postal Service  
3 employee, while in the actual performance of duties which specifically  
4 require regular and frequent visits to private premises, from  
5 possessing, carrying or using any device which projects, releases or  
6 emits any substance specified as being noninjurious to canines or other  
7 animals by the Commissioner of Health and Senior Services and which  
8 immobilizes only on a temporary basis and produces only temporary  
9 physical discomfort through being vaporized or otherwise dispensed  
10 in the air for the sole purpose of repelling canine or other animal  
11 attacks.

12 The device shall be used solely to repel only those canine or other  
13 animal attacks when the canines or other animals are not restrained in  
14 a fashion sufficient to allow the employee to properly perform his  
15 duties.

16 Any device used pursuant to this act shall be selected from a list of  
17 products, which consist of active and inert ingredients, permitted by  
18 the Commissioner of Health and Senior Services.

19 i. Nothing in N.J.S.2C:39-5 shall be construed to prevent any  
20 person who is 18 years of age or older and who has not been convicted  
21 of a felony, from possession for the purpose of personal self-defense  
22 of one pocket-sized device which contains and releases not more than  
23 three-quarters of an ounce of chemical substance not ordinarily  
24 capable of lethal use or of inflicting serious bodily injury, but rather,  
25 is intended to produce temporary physical discomfort or disability  
26 through being vaporized or otherwise dispensed in the air. Any person  
27 in possession of any device in violation of this subsection shall be  
28 deemed and adjudged to be a disorderly person, and upon conviction  
29 thereof, shall be punished by a fine of not less than \$100.00.

30 j. A person shall qualify for an exemption from the provisions of  
31 N.J.S.2C:39-5, as specified under subsections a. and c. of this section,  
32 if the person has satisfactorily completed a firearms training course  
33 approved by the Police Training Commission.

34 Such exempt person shall not possess or carry a firearm until the  
35 person has satisfactorily completed a firearms training course and shall  
36 annually qualify in the use of a revolver or similar weapon. For  
37 purposes of this subsection, a "firearms training course" means a  
38 course of instruction in the safe use, maintenance and storage of  
39 firearms which is approved by the Police Training Commission. The  
40 commission shall approve a firearms training course if the  
41 requirements of the course are substantially equivalent to the  
42 requirements for firearms training provided by police training courses  
43 which are certified under section 6 of P.L.1961, c.56 (C.52:17B-71).  
44 A person who is specified in paragraph (1), (2), (3) or (6) of  
45 subsection a. of this section shall be exempt from the requirements of  
46 this subsection.



1 k. Nothing in subsection d. of N.J.S.2C:39-5 shall be construed to  
2 prevent any financial institution, or any duly authorized personnel of  
3 the institution, from possessing, carrying or using for the protection of  
4 money or property, any device which projects, releases or emits tear  
5 gas or other substances intended to produce temporary physical  
6 discomfort or temporary identification.

7 l. Nothing in subsection b. of N.J.S.2C:39-5 shall be construed to  
8 prevent a law enforcement officer who retired in good standing,  
9 including a retirement because of a disability pursuant to section 6 of  
10 P.L.1944, c.255 (C.43:16A-6), section 7 of P.L.1944, c.255  
11 (C.43:16A-7), section 1 of P.L.1989, c.103 (C.43:16A-6.1) or any  
12 substantially similar statute governing the disability retirement of  
13 federal law enforcement officers, provided the officer was a regularly  
14 employed, full-time law enforcement officer for an aggregate of five  
15 or more years prior to his disability retirement and further provided  
16 that the disability which constituted the basis for the officer's  
17 retirement did not involve a certification that the officer was mentally  
18 incapacitated for the performance of his usual law enforcement duties  
19 and any other available duty in the department which his employer was  
20 willing to assign to him or does not subject that retired officer to any  
21 of the disabilities set forth in subsection c. of N.J.S.2C:58-3 which  
22 would disqualify the retired officer from possessing or carrying a  
23 firearm, who semi-annually qualifies in the use of the handgun he is  
24 permitted to carry in accordance with the requirements and procedures  
25 established by the Attorney General pursuant to subsection j. of this  
26 section and pays the actual costs associated with those semi-annual  
27 qualifications, who is less than 70 years of age, and who was regularly  
28 employed as a full-time member of the State Police; a full-time  
29 member of an interstate police force; a full-time member of a county  
30 or municipal police department in this State; a full-time member of a  
31 State law enforcement agency; a full-time sheriff, undersheriff or  
32 sheriff's officer of a county of this State; a full-time State or county  
33 corrections officer; a full-time county park police officer; a full-time  
34 county prosecutor's detective or investigator; or a full-time federal law  
35 enforcement officer from carrying a handgun in the same manner as  
36 law enforcement officers exempted under paragraph (7) of subsection  
37 a. of this section under the conditions provided herein:

38 (1) The retired law enforcement officer, within six months after  
39 retirement, shall make application in writing to the Superintendent of  
40 State Police for approval to carry a handgun for one year. An  
41 application for annual renewal shall be submitted in the same manner.

42 (2) Upon receipt of the written application of the retired law  
43 enforcement officer, the superintendent shall request a verification of  
44 service from the chief law enforcement officer of the organization in  
45 which the retired officer was last regularly employed as a full-time law  
46 enforcement officer prior to retiring. The verification of service shall

1 include:

2 (a) The name and address of the retired officer;

3 (b) The date that the retired officer was hired and the date that the  
4 officer retired;

5 (c) A list of all handguns known to be registered to that officer;

6 (d) A statement that, to the reasonable knowledge of the chief law  
7 enforcement officer, the retired officer is not subject to any of the  
8 restrictions set forth in subsection c. of N.J.S.2C:58-3; and

9 (e) A statement that the officer retired in good standing.

10 (3) If the superintendent approves a retired officer's application or  
11 reapplication to carry a handgun pursuant to the provisions of this  
12 subsection, the superintendent shall notify in writing the chief law  
13 enforcement officer of the municipality wherein that retired officer  
14 resides. In the event the retired officer resides in a municipality which  
15 has no chief law enforcement officer or law enforcement agency, the  
16 superintendent shall maintain a record of the approval.

17 (4) The superintendent shall issue to an approved retired officer an  
18 identification card permitting the retired officer to carry a handgun  
19 pursuant to this subsection. This identification card shall be valid for  
20 one year from the date of issuance and shall be valid throughout the  
21 State. The identification card shall not be transferable to any other  
22 person. The identification card shall be carried at all times on the  
23 person of the retired officer while the retired officer is carrying a  
24 handgun. The retired officer shall produce the identification card for  
25 review on the demand of any law enforcement officer or authority.

26 (5) Any person aggrieved by the denial of the superintendent of  
27 approval for a permit to carry a handgun pursuant to this subsection  
28 may request a hearing in the Superior Court of New Jersey in the  
29 county in which he resides by filing a written request for such a  
30 hearing within 30 days of the denial. Copies of the request shall be  
31 served upon the superintendent and the county prosecutor. The  
32 hearing shall be held within 30 days of the filing of the request, and no  
33 formal pleading or filing fee shall be required. Appeals from the  
34 determination of such a hearing shall be in accordance with law and  
35 the rules governing the courts of this State.

36 (6) A judge of the Superior Court may revoke a retired officer's  
37 privilege to carry a handgun pursuant to this subsection for good cause  
38 shown on the application of any interested person. A person who  
39 becomes subject to any of the disabilities set forth in subsection c. of  
40 N.J.S.2C:58-3 shall surrender, as prescribed by the superintendent, his  
41 identification card issued under paragraph (4) of this subsection to the  
42 chief law enforcement officer of the municipality wherein he resides or  
43 the superintendent, and shall be permanently disqualified to carry a  
44 handgun under this subsection.

45 (7) The superintendent may charge a reasonable application fee to  
46 retired officers to offset any costs associated with administering the

1 application process set forth in this subsection.

2 m. Nothing in subsection d. of N.J.S.2C:39-5 shall be construed to  
3 prevent duly authorized personnel of the New Jersey Division of Fish  
4 and Wildlife, while in the actual performance of duties, from  
5 possessing, transporting or using any device that projects, releases or  
6 emits any substance specified as being non-injurious to wildlife by the  
7 Director of the Division of Animal Health in the Department of  
8 Agriculture, and which may immobilize wildlife and produces only  
9 temporary physical discomfort through being vaporized or otherwise  
10 dispensed in the air for the purpose of repelling bear or other animal  
11 attacks or for the aversive conditioning of wildlife.

12 n. Nothing in subsection b., c., d. or e. of N.J.S.2C:39-5 shall be  
13 construed to prevent duly authorized personnel of the New Jersey  
14 Division of Fish and Wildlife, while in the actual performance of  
15 duties, from possessing, transporting or using hand held pistol-like  
16 devices, rifles or shotguns that launch pyrotechnic missiles for the sole  
17 purpose of frightening, hazing or aversive conditioning of nuisance or  
18 depredating wildlife; from possessing, transporting or using rifles,  
19 pistols or similar devices for the sole purpose of chemically  
20 immobilizing wild or non-domestic animals; or, provided the duly  
21 authorized person complies with the requirements of subsection j. of  
22 this section, from possessing, transporting or using rifles or shotguns,  
23 upon completion of a Police Training Commission approved training  
24 course, in order to dispatch injured or dangerous animals or for  
25 non-lethal use for the purpose of frightening, hazing or aversive  
26 conditioning of nuisance or depredating wildlife.

27 (cf: P.L.2003, c.168, s.2)

28

29 2. Section 21 of P.L.1983, c.324 (C.13:1L-21) is amended to read  
30 as follows:

31 21. The commissioner of the department shall have the power to  
32 vest in State ~~park rangers~~ park police officer and other personnel of  
33 the department at all times the power to arrest without warrant any  
34 person violating any law of the State committed in their presence and  
35 bring the offender before any court having jurisdiction to receive the  
36 complaint of such violation. These personnel are hereby authorized to  
37 carry firearms at all times. The department, with the approval of the  
38 Attorney General, shall establish and maintain a law enforcement  
39 training program for such personnel.

40 (cf: P.L. 2003, c.147, s.2)

41

42 <sup>1</sup>3. Section 1 of P.L. 1977, c.167 (C.13:1A-6.1) is amended to  
43 read as follows:

44 1. The Commissioner of the Department of Environmental  
45 Protection shall have the power to vest in the conservation officers of  
46 the Division of Fish and Wildlife and the park ~~rangers~~ police officers

1 and law enforcement operation officers of the Division of Parks and  
2 Forestry at all times the power to arrest without warrant any person  
3 violating any law of this State committed in their presence and bring  
4 the offender before any court having jurisdiction to receive the  
5 complaint of such violation. The Department of Environmental  
6 Protection, with the approval of the Attorney General, shall establish  
7 and maintain a suitable law enforcement training program for such  
8 personnel.<sup>1</sup>

9 (cf: P.L. 2003, c. 147, s.1)

10  
11 <sup>1</sup>[3.] 4.<sup>1</sup> (New section) To effectuate the purposes of P.L. ,  
12 c. (now pending before the Legislature as this bill), the  
13 Commissioner of Personnel shall establish and assign, and, where  
14 necessary, abolish, consolidate or reassign, the ranks and titles  
15 currently governing the position of State park ranger to ranks and  
16 titles appropriate to the position of State park police officer.

17  
18 <sup>1</sup>[4.] 5.<sup>1</sup> This act shall take effect on the first day of the third  
19 month following enactment.